

Express Mail No. _____

**DECLARATION FOR PATENT APPLICATION AND
POWER OF ATTORNEY**

As a below named inventor, I hereby declare that:

My residence, post office address and citizenship are as stated below next to my name,

I (we) believe we are the original, first and joint inventor of the subject matter which is claimed and for which a patent is sought on the invention entitled

**A SPECIFIC ANTAGONIST FOR GLUCOSE-DEPENDENT
INSULINOTROPIC POLYPEPTIDE (GIP)**

the specification of which

(Check one)

is attached hereto.

was filed on December 3, 1997, as Application Serial No. _____ and

was amended on (if applicable).

I (we) hereby state that we have reviewed and understand the contents of the above identified specification, including the claims, as amended by any amendment referred to above.

I (we) acknowledge the duty to disclose information which is material to the examination of this application in accordance with Title 37, Code of Federal Regulations, §1.56(a).

I (we) hereby claim foreign priority benefits under Title 35, United States Code, §119 of any foreign application(s) for patent or inventor's certificate listed below and have also identified below any foreign application for patent or inventor's certificate having a filing date before that of the application on which priority is claimed:

Prior Foreign Application(s):

			<u>Priority Claimed</u>	
<u>(Number)</u>	<u>(Country)</u>	<u>(Day/Month/Year Filed)</u>	<input type="checkbox"/>	<input type="checkbox"/>
_____	_____	_____	<input type="checkbox"/>	<input type="checkbox"/>
<u>(Number)</u>	<u>(Country)</u>	<u>(Day/Month/Year Filed)</u>	<u>Yes</u>	<u>No</u>

I (we) hereby claim the benefit under Title 35, United States Code, §120 of any United States application(s) listed below and, insofar as the subject matter of each of the claims of this application is not disclosed in the prior United States application in the manner provided by the first paragraph of Title 35, United States Code, §112, I (we) acknowledge the duty to disclose material information as defined in Title 37, Code of Federal Regulations, §1.56(a) which occurred between the filing date of the prior application and the national or PCT international filing date of this application:

(Application Serial No.)	(Filing Date)	(Status) (Patented, Pending, Abandoned)
(Application Serial No.)	(Filing Date)	(Status) (Patented, Pending, Abandoned)

I (we) hereby appoint the following as our representative(s) to prosecute this application and to transact all business in the Patent and Trademark Office connected therewith: **PETER J. MANSO** (Reg. No. 32,264), **A. M. (ANDY) ARISMENDI, JR.** (Reg. No. 31,715), **JOHN R. KIRK, JR.** (Reg. No. 24,477), **GERALD T. WELCH** (Reg. No. 30,332), **C. PATRICK TURLEY** (Reg. No. 35,723), **LISA H. MEYERHOFF** (Reg. No. 36,869), **ALAN R. THIELE** (Reg. No. 30,694), **KEVIN R. HANSBRO** (Reg. No. 38,485).

Address all telephone calls to: **Peter J. Manso**

at telephone No.: **(713) 951-3375**

Address all correspondence to: **Peter J. Manso, Esquire**
JENKENS & GILCHRIST
1445 Ross Avenue, Suite 1800
Dallas, Texas 75202-2799

I (we) hereby declare that all statements made herein of our own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under §1001 of Title 18 of the United States Code and that such willful false statements may jeopardize the validity of the application or any patent issued thereon.

Full name of inventor **M. Michael Wolfe**

Inventor's signature _____

Date _____

Residence **31 Montrose Street, Newton, MA 02158**

Citizenship _____

Post Office Address **31 Montrose Street, Newton, MA 02158**

Full name of inventor Chi-Chuan Tseng

Inventor's signature _____

Date _____

Residence 274 Park Street, Newton, MA 02158

Citizenship _____

Post Office Address 274 Park Street, Newton, MA 02158

Full name of inventor Linda Neville

Inventor's signature _____

Date _____

Residence 10 Draper Avenue, Hull, MA 02158

Citizenship _____

Post Office Address 10 Draper Avenue, Hull, MA 02158

Atty Dkt. No. 016865-028
Inventor(s): M. Michael WOLFE, .. al
Serial No.: 60/032,329
Filed: December 3, 1996
Title: A SPECIFIC ANTAGONIST FOR GLUCOSE-DEPENDENT INSULINOTROPIC POLYPEPTIDE (GIP)

**VERIFIED STATEMENT (DECLARATION) CLAIMING SMALL ENTITY STATUS
(37 C.F.R. § 1.9(e) and § 1.27(d)) - NONPROFIT ORGANIZATION**

I hereby declare that I am an official empowered to act on behalf of the nonprofit organization identified below:

NAME OF ORGANIZATION The Trustees of Boston University

ADDRESS OF ORGANIZATION 147 Bay State Road

Boston, Massachusetts 02215

TYPE OF ORGANIZATION

UNIVERSITY OR OTHER INSTITUTION OF HIGHER EDUCATION
 TAX EXEMPT UNDER INTERNAL REVENUE SERVICE CODE (26 U.S.C. § 501(a) AND § 501(c)(3))
 NONPROFIT SCIENTIFIC OR EDUCATIONAL UNDER STATUTE OF STATE OF THE UNITED STATES OF AMERICA
(NAME OF STATE _____)
(CITATION OF STATUTE _____)
 WOULD QUALIFY AS TAX EXEMPT UNDER INTERNAL REVENUE SERVICE CODE (26 U.S.C. § 501(a) AND § 501(c)(3))
IF LOCATED IN THE UNITED STATES OF AMERICA
 WOULD QUALIFY AS NONPROFIT SCIENTIFIC OR EDUCATIONAL UNDER STATUTE OF STATE OF THE UNITED
STATES OF AMERICA IF LOCATED IN THE UNITED STATES OF AMERICA
(NAME OF STATE _____)
(CITATION OF STATUTE _____)

I hereby declare that the nonprofit organization identified above qualifies as a nonprofit organization as defined in 37 C.F.R. § 1.9(e) for purposes of paying reduced fees under Section 41(a) and (b) of Title 35, United States Code, with regard to the invention entitled A SPECIFIC ANTAGONIST FOR GLUCOSE-DEPENDENT INSULINOTROPIC POLYPEPTIDE (GIP) by inventor(s) M. Michael Wolfe, Chi-Chuan Tseng and Linda Neville

the Specification filed herewith,
 Application No. 60/032,329, filed December 3, 1996
 Patent No. _____, issued _____

I hereby declare that rights under contract or law have been conveyed to and remain with the nonprofit organization with regard to the above identified invention.

If the rights held by the nonprofit organization are not exclusive, each small entity individual, concern or organization having rights to the invention is listed below and no rights to the invention are held by any person, other than the inventor(s), who could not qualify as a small business concern under 37 C.F.R. § 1.9(d) or by any concern which would not qualify as a small business concern under 37 C.F.R. § 1.9(d) or a nonprofit organization under 37 C.F.R. § 1.9(e). NOTE: Separate verified statements are required from each named person, concern or organization having rights to the invention averring to their status as small entities (37 C.F.R. § 1.27).

NAME _____

ADDRESS _____

INDIVIDUAL

SMALL BUSINESS CONCERN

NONPROFIT ORGANIZATION

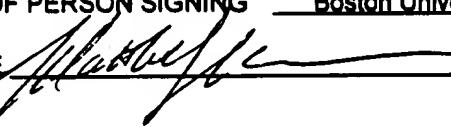
I acknowledge the duty to file, in this case, notification of any change in status resulting in loss of entitlement to small entity status prior to paying, or at the time of paying, the earliest of the issue fee or any maintenance fee due after the date on which status as a small entity is no longer appropriate (37 C.F.R. § 1.28(b)).

I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code, and that such willful false statements may jeopardize the validity of the application, any patent issuing thereon, or any patent to which this verified statement is directed.

NAME OF PERSON SIGNING Matthew J. Burns

TITLE IN ORGANIZATION Community Technology Fund, Managing Director ad interim

ADDRESS OF PERSON SIGNING Boston University, Boston, MA 02215

SIGNATURE 

CTF

DATE

5/7/97



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UNITED STATES DEPARTMENT OF COMMERCE
Patent and Trademark Office
ASSISTANT SECRETARY AND COMMISSIONER
OF PATENTS AND TRADEMARKS
Washington, D.C. 20231

JUNE 27, 1997

PTAS



BAKER & BOTTS, L.L.P.
LAURENCY H. POSORSKE
THE WARNER, SUITE 1300
1299 PENNSYLVANIA AVENUE, N.W.
WASHINGTON, D.C. 20004-2400

100424971A

1C560 U.S. PRO
108/984476
12/03/97

UNITED STATES PATENT AND TRADEMARK OFFICE
NOTICE OF RECORDATION OF ASSIGNMENT DOCUMENT

THE ENCLOSED DOCUMENT HAS BEEN RECORDED BY THE ASSIGNMENT DIVISION OF THE U.S. PATENT AND TRADEMARK OFFICE. A COMPLETE MICROFILM COPY IS AVAILABLE AT THE ASSIGNMENT SEARCH ROOM ON THE REEL AND FRAME NUMBER REFERENCED BELOW.

PLEASE REVIEW ALL INFORMATION CONTAINED ON THIS NOTICE. THE INFORMATION CONTAINED ON THIS RECORDATION NOTICE REFLECTS THE DATA PRESENT IN THE PATENT AND TRADEMARK ASSIGNMENT SYSTEM. IF YOU SHOULD FIND ANY ERRORS OR HAVE QUESTIONS CONCERNING THIS NOTICE, YOU MAY CONTACT THE EMPLOYEE WHOSE NAME APPEARS ON THIS NOTICE AT 703-308-9723. PLEASE SEND REQUEST FOR CORRECTION TO: U.S. PATENT AND TRADEMARK OFFICE, ASSIGNMENT DIVISION, BOX ASSIGNMENTS, NORTH TOWER BUILDING, SUITE 10C35, WASHINGTON, D.C. 20231.

RECORDATION DATE: 05/21/1997

REEL/FRAME: 8513/0911
NUMBER OF PAGES: 4

BRIEF: ASSIGNMENT OF ASSIGNOR'S INTEREST (SEE DOCUMENT FOR DETAILS).

ASSIGNOR:

WOLFE, M. MICHAEL

DOC DATE: 02/27/1997

ASSIGNOR:

TSENG, CHI-CHUAN

DOC DATE: 02/27/1997

ASSIGNOR:

NEVILLE, LINDA

DOC DATE: 02/27/1997

ASSIGNEE:

TRUSTEE OF BOSTON UNIVERSITY
147 BAY STATE ROAD
BOSTON, MASSACHUSETTS

SERIAL NUMBER: 60032329

FILING DATE: 12/03/1996

PATENT NUMBER:

ISSUE DATE:

Atty Dkt. 16865.0338

ASSIGNMENT

WHEREAS, M. Michael WOLFE, a citizen of the United States of America, residing at 31 Montrose Street, Newton, MA 02158, Chi-Chuan TSENG, a citizen of the United States of America, residing at 274 Park Street, Newton, MA 02158 and Linda Neville, a citizen of the United States of America, residing at 10 Draper Avenue, Hull, MA 02045 (hereinafter "ASSIGNORS") have invented certain new and useful improvements in "A SPECIFIC ANTAGONIST FOR GLUCOSE-DEPENDENT INSULINOTROPIC POLYPEPTIDE (GIP)," described in the provisional application for United States Letters Patent filed on December 3, 1996, and assigned Application Serial No. 60/032,329.

WHEREAS ASSIGNORS have entered into an Agreement with the Trustees of Boston University in accordance with the Patent Policy of Boston University as applying to faculty, students and employees under the terms of which all rights in the aforesaid invention are to be acquired by the Trustees of Boston University and net royalties generated by the invention of said ASSIGNORS and accruing to the Trustees of Boston University are to be shared with the inventors and the Trustees of Boston University, pursuant to said Agreement; and

NOW, THEREFORE, BE IT KNOWN THAT FOR and in consideration of one dollar and other valuable consideration paid to us by the Trustees of Boston University, a corporation of Massachusetts having a principal place of business at 147 Bay State Road, Boston, Massachusetts, 02215, hereinafter called ASSIGNEE, the receipt of which is hereby

acknowledged, we do hereby sell, assign and transfer unto said Trustees of Boston University, its successors assigns and legal representatives, the entire right, title and interest for the United States of America and all foreign countries in and to any and all improvements which are disclosed in the application for United States Letters Patent entitled "A SPECIFIC ANTAGONIST FOR GLUCOSE-DEPENDENT INSULINOTROPIC POLYPEPTIDE (GIP)" invented by said ASSIGNORS and described in said application executed by said ASSIGNORS as noted herewith and about to be fixed as Serial Number 60/032,329 filed on December 3, 1996, and in and to said application and all divisional, continuing, substitute, renewal, reissue and all other applications for Letters Patent which have been or shall be filed in the United States and all foreign countries on any of said improvements; and in and to all original and reissued patents which have been or shall be issued in the United States and all foreign countries on said improvements; and including all rights of priority resulting from the filing of any such applications.

AND, ASSIGNORS agree that said ASSIGNEE may apply for and receive Letters Patent in its own name; and that, when requested without charge to but at the expense of said ASSIGNEE, its successors, assigns and legal representatives, to carry out in good faith the intent and purpose of this Assignment, the undersigned will execute all divisional, continuing, substitute, renewal, reissue, and all other patent applications on any and all said improvements; execute all rightful oaths, assignments, powers of attorney and other papers; communicate to said ASSIGNEE, its successors, assigns and legal representatives, all the

facts known to the undersigned relating to said improvements and the history thereof; and generally do everything possible which said ASSIGNEE, its successors, assigns and legal representatives shall consider desirable for aiding in securing and maintaining proper patent protection for said improvements, and for vesting title to said improvements and all applications for patents and all patents on said improvements in said ASSIGNEE, its successors, assigns and legal representatives; and we do hereby authorize and request the Commissioner of Patents of the United States to issue such Letters Patent as shall be granted upon said U.S. application(s) to said ASSIGNEE, its successors and assigns.

AND said ASSIGNORS covenant with said ASSIGNEE, its successors, assigns and legal representatives that no assignment, grant, mortgage, license or other agreements affecting the rights and property herein conveyed has been made to others by the undersigned, and that the full right to convey the same as herein expressed is possessed by the undersigned.

<u>Signature</u>	<u>Date Signed</u>	<u>Witness</u>
<u>M. Michael Wolfe</u>	<u>2/27/97</u>	<u>Mary E. LoPinto</u>
Name: M. Michael WOLFE		
<u>Signature</u>	<u>Date Signed</u>	<u>Witness</u>
<u>Chi-Chuan TSENG</u>	<u>2/27/97</u>	<u>Mary E. LoPinto</u>
Name: Chi-Chuan TSENG		
<u>Signature</u>	<u>Date Signed</u>	<u>Witness</u>
<u>Linda NEVILLE</u>	<u>2/27/97</u>	<u>Mary E. LoPinto</u>
Name: Linda NEVILLE		